

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ELIZABETH HORTON,

Plaintiff,

VS.

CASE NO. 02:06-CV-00526-MHT-TFM

DON WILLIAMS, et al.,

Defendants.

REPORT OF PARTIES' PLANNING MEETING

Pursuant to Fed. R. Civ. P. 26(f), and the Court's Order of May 30, 2007, doc. no. 44, the following conferred on June 13, 2007:

Deborah Moore Nickson on behalf of plaintiff Elizabeth Horton; and

Dorman Walker and Kelly Pate on behalf of defendant Don Williams;
Charles A. Stewart, III and Elizabeth Mitchell on behalf of defendant National Seating and
Mobility, Inc.; and

Jack W. Wallace, Jr. on behalf of defendant Gerald Shockley.

1. **Pre-Discovery Disclosures.** The parties will exchange the information required by Federal Rule of Civil Procedure 26(a)(1) on or before July 13, 2007.
2. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

Discovery will be needed on the following subjects:

Plaintiff expects to conduct discovery on the facts of the case, including, but not limited to the following:

Fourteenth Amendment violations asserted in the Amended Complaint
Fourth amendment claims as enforced through the Fourteenth Amendment as asserted in
the Amended Complaint
All State Claims asserted in the Amended Complaint including but not limited
to the Doctrine of Respondeat Superior, other state law claims and Plaintiff's damages
Any and all claims asserted in the Plaintiff's Amended Complaint not stricken
by this Court

Defendants expect to conduct discovery on the facts and circumstances of this case, including

but not limited to: all information pertaining to plaintiff's claims and damages, including the alleged concerted actions and/or agreement(s), the alleged theory of respondent superior liability, and all information pertaining to defendants' defenses,

- a. All discovery commenced in time to be completed by Thursday, January 31, 2008.
- b. Maximum of 40 interrogatories by each party to each party. Responses due 30 days after service.
- c. Maximum of 40 requests for admission by each party to each party. Responses due 30 days after service.
- d. Maximum of 40 requests for production of document by each party to each party. Responses due 30 days after service.
- e. Maximum of 10 depositions by Plaintiff and 10 by Defendants. Depositions limited to eight hours.
- f. Reports from retained experts under Rule 26(a)(2) due:
 - from Plaintiff by Friday, August 31, 2007; and
 - from Defendants by Friday, September 28, 2007.
- g. Supplementation under Rule 26(e) due reasonably upon knowledge of additional information.

3. Other Items.

- a. Plaintiff should be allowed until Thursday, July 26, 2007 to join additional parties and to amend the pleadings.
- b. Defendants should be allowed until Monday, August 27, 2007 to join additional parties and to amend the pleadings.
- c. All potentially dispositive motions should be filed on or before Thursday, February 7, 2008.
- d. Settlement cannot be realistically evaluated prior to the completion of preliminary discovery.
- e. The parties request a final pretrial conference on Wednesday, May 14, 2008.
- f. Final lists of trial evidence under Rule 26(a)(3), both witnesses and exhibits, should be due from the parties on or before June 1, 2008.
- g. Parties should have 14 days after service of final lists of trial evidence to list objections

under Rule 26(a)(3).

h. The case should be ready for trial by this Court's June 23, 2008 trial term, and at this time is expected to take approximately 4 days, excluding jury selection.

Respectfully submitted this 14th day of June, 2007.

s/ Deborah M. Nickson

Deborah M. Nickson

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s/ Charles A. Stewart, III

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s/ Jack W. Wallace, Jr.

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